

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20236 of 2014

Arising Out of PS.Case No. -419 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Pintu Kumar @ Pintu Sao S/o Sri Satrugan Sao Resident of village-
Saidanpur, Nandlalabad, P.S- Gaurichak, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

2. Julie Devi W/o Pintu Kumar @ Pintu Sao, D/o Dinanath Gupta Presently
resident of Khijartoli Maharajganj, P.S- Alamganj, District- Patna City

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Jha, Adv.

For the Opposite Party/s : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 13-04-2015 The petitioner figured as accused in

Complaint Case No.419(C) of 2012, registered on the

basis of a complaint submitted by the wife of the

petitioner alleging offences including one punishable

under Section-498A of I.P.C. Apprehending arrest, the

petitioner filed A.B.P. No.6367 of 2013 in the court of

learned District Judge, Patna. The learned Judge rejected

the application through order dated 5.2.2014. Hence, this

application for grant of anticipatory bail under Section-

438 of Cr.P.C.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Whether one goes by the nature of

allegations or the law laid down by the Supreme Court in the recent past, the arrest of a person who figured as accused in a case wherein offences punishable under Section-498A of I.P.C. is alleged, is not at all warranted.

Therefore, the application is allowed.

In the event of arrest, the petitioner is directed to be released on bail upon furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of S.D.J.M., Patna City, in connection with Complaint Case No.419(C) of 2012, subject to the conditions that:-

(a) if any arrangement has been ordered by this Court on earlier occasion, it shall be in force till the disposal of the case before the trial court;

(b) the petitioner shall be under obligation to live with and maintain his wife, if she is otherwise willing; and

(c) disposal of this application shall be without prejudice to the proceedings for mediation, if any.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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